1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 4 2:14-cv-01982-JAD-NJK IAN A. WOODS, 5 Petitioner Order Denying Petitioner's Motion to Vacate 6 VS. 7 [ECF 19] BRIAN WILLIAMS, SR., et al., 8 Respondents 9 10 11 In this habeas-corpus action brought by Nevada Prisoner Ian A. Woods, the respondents filed 12 a motion to dismiss on September 29, 2015. Woods's response to that motion was due on October 13 16, 2015.² Woods did not file a response. 14 On October 19, 2015, Woods filed a "Motion to Vacate the Habitual Criminal for Respondent's Failure to File a [Response] to Petitioner's Petition for Writ of Habeas Corpus." that 15 same day, Woods also filed a Notice of Change of Address,⁴ giving notice that he has been 16 17 transferred from the Southern Desert Correctional Center to the Wells Conservation Camp. 18 Woods's motion to vacate requests that the court sanction respondents for not responding to 19 his habeas petition as ordered by the court. The motion is premised on Woods's belief that 20 respondents have not responded to his habeas petition. But Woods is wrong; respondents timely 21 filed their motion to dismiss on September 29, 2015. Woods's Motion to Vacate is therefore 22 denied. 23 ¹ ECF 15. 24 ² See LR 7-2(b). 25 ³ ECF 19. 26 27 ⁴ ECF 20. 28 ⁵ ECF 15.

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Apparently, Woods did not receive service of respondents' motion to dismiss—perhaps somehow as a result of the transfer reflected in his notice of change of address. The court will, therefore, direct the respondents to re-serve Woods with the motion to dismiss and supporting exhibits. And the court will set a new briefing schedule for the motion to dismiss.

IT IS THEREFORE ORDERED that petitioner's "Motion to Vacate the Habitual Criminal for Respondent's Failure to File a [Response] to Petitioner's Petition for Writ of Habeas Corpus" [ECF 19] is DENIED.

IT IS FURTHER ORDERED that respondents must re-serve petitioner with the motion to dismiss and supporting exhibits by October 30, 2015. Petitioner will have until December 18, 2015, to file and serve a response to the motion to dismiss. Respondents will have 45 days after that to file any reply.

Dated this 20th day of October, 2015.

United States District Judge